

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ALEXANDER PAEZ,**

**Plaintiff,**

**v.**

**CHILDREN’S HEALTH SYSTEM OF  
TEXAS,**

**Defendant.**

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**Civil Action No. 3:23-cv-2243-E**

**JOINT MOTION TO EXTEND MEDIATION DEADLINE**

Pursuant to the December 27, 2023 Scheduling Order [Dkt. 10], Plaintiff Alexander Paez (“Plaintiff”) and Defendant Children’s Health System of Texas (“Defendant”) (collectively, the “Parties”) jointly move the Court to extend the deadline for the Parties to mediate by sixty (60) days and state as follows:

**I. BACKGROUND**

This is an employment discrimination case filed pursuant to the FMLA and ADA, arising from Plaintiff’s employment with Defendant. Defendant filed its Answer to Plaintiff’s Original Complaint on December 11, 2023 [Dkt. 6]. Courtenay L. Bass of Gilbert Mediation Group is the agreed mediator in this case [Dkt. 9; Dkt. 13]. On December 27, 2023, the Court issued a Scheduling Order establishing various case deadlines, including mediation, completion of discovery, and the due date to file dispositive motions [Dkt. 13]. The deadline made the basis of this motion is currently as follows:

- Mediation: May 3, 2024.

This motion does not seek a continuance of the deadline for completion of discovery (October 15, 2024), the deadline to file dispositive motions (November 15, 2024), or of the trial date (three-week docket beginning April 1, 2025).

## **II. GROUND FOR CONTINUANCE**

The Parties are actively engaged in attempts to resolve various discovery issues and Plaintiff's deposition has yet to occur. Defendant's counsel has requested that Plaintiff supplement information and materials necessary to properly evaluate Plaintiff's damages and prepare for his deposition. Accordingly, the Parties agreed to reschedule Plaintiff's deposition, which was set to occur on March 21, 2024, to a later date. Additionally, Plaintiff intends to take the deposition of one or more corporate representatives of Defendant. The Parties anticipate that mediation would be more productive after the Parties' depositions are completed. Accordingly, an extension is necessary to allow more time for the Parties to meaningfully evaluate this case prior to attempting resolution through mediation. The requested extension does not affect any other deadlines in this case, including the deadlines for discovery, dispositive motions, or of the trial date.

## **III. RELIEF REQUESTED**

In light of the foregoing factors, the Parties respectfully and jointly request an extension of the mediation deadline under the Scheduling Order as indicated below and as stated in the accompanying proposed order. This is the first request for an extension of a Scheduling Order deadline in this case. The request is not made for purposes of delay, but so that justice may occur.

| <b>Date</b>  | <b>Event</b>                    |
|--------------|---------------------------------|
| July 2, 2024 | Mediation (Scheduling Order ¶6) |

WHEREFORE, Plaintiff Alexander Paez and Defendant Children's Health System of Texas respectfully pray that this Court grant this Joint Motion to Extend Mediation Deadline and continue the current mediation deadline to July 2, 2024.

Respectfully submitted,

**GASPER LAW PLLC**

/s/ Travis Gasper

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**ATTORNEY FOR PLAINTIFF**

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By: /s/ Jamie Ashton

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 22, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will transmit a Notice of Electronic Filing to all parties of record.

/s/Molly Ann Lawrence

Molly Ann Lawrence